

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Herman Bustamante
Horen Chen

Application No.: 09/662,741

Filed: September 14, 2000

For: LOCAL MULTIPOINT
DISTRIBUTION SYSTEM

Art Unit: 2745

PETITION TO PROCEED WITH REISSUE
APPLICATION WITHOUT ASSIGNEE'S
CONSENT

RECEIVED

APR 03 2001

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

Sir:

Applicant hereby petitions for a waiver under 37 CFR § 1.183 of the requirement under 37 CFR § 1.172 for this reissue application to be examined, even though the written consent of the Assignee is not yet submitted.

The circumstances why the Assignee's assent cannot be obtained at this time is set forth in the "STATEMENT WHY ASSIGNEE'S ASSENT IS UNOBTAINABLE AT THIS TIME" attached hereto.

Please charge the Petition Fee (37 CFR § 1.17 (h)) of \$130.00 to the undersigned's Deposit Account No. 20-1430. Please charge any additional fees or credit overpayment to the above Deposit Account. This Petition is submitted in triplicate.

04/02/2001 CNGUYEN 00000073 201430 09662741
01 FC:122 130.00 CH

Respectfully submitted,

Robert J. Bennett
Reg. No. 27,533

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
RJB:sb
SF 1206450 v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Herman Bustamante
Horen Chen

Application No.: 09/662,741

Filed: September 14, 2000

For: LOCAL MULTIPOINT
DISTRIBUTION SYSTEM

Art Unit: 2745

STATEMENT WHY ASSIGNEE'S
ASSENT IS UNOBTAINABLE AT THIS
TIME

RECEIVED

APR 03 2001

OFFICE OF PETITIONS

Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

I, ROBERT J. BENNETT, am the attorney for the Applicant of this reissue application.

I have been informed that the record owner of the subject patent, Stanford Telecommunications, Inc. (herein "STI"), has been acquired by a Canadian company. I have also been informed that following the acquisition of STI by the Canadian company, ownership of the subject patent may have been transferred to either the Canadian company or yet another company. At this time, it has not been finally determined which company owns the subject patent. In view of all of the above, Applicant has been unsuccessful in obtaining the identification of one whom can sign the requisite consent.

Accordingly, I respectfully request at least temporary waiver of the requirement for written consent of the Assignee to allow examination of this application to proceed while someone with authority to sign such written consent is located.

Respectfully submitted,

Robert J. Bennett
Reg. No. 27,533

Herman Bustamante
Horen Chen
Application No.: 09/662,741
Page 2

PATENT

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
RJB:sb
SF 1206458 v1